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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DAVID NEWBY and ROBERTA A.
PINCKNEY, husband and wife,

Case No. 6:11-CV-6187-HO

Plaintiffs,

v.

STIPULATED ORDER OF
DISMISSAL OF DEFENDANT
NORTHWEST TRUSTEE
SERVICES, INC.

J.P. MORGAN CHASE BANK, NA, a
national banking association, CHASE HOME
FINANCE LLC, and NORTHWEST
TRUSTEE SERVICES, INC., a Washington
Corporation,

Defendants.

1.

Plaintiffs, David Newby and Roberta A. Pinckney ("Plaintiffs"), by and through their attorneys of record, Gerald A. Martin and Francis Hansen & Martin LLP, and defendant, Northwest Trustee Services, Inc. ("Defendant"), by and through its attorney, Teresa M. Shill and Routh Crabtree Olsen, P.C., hereby stipulate to the dismissal of Defendant without prejudice as follows:

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STIPULATION:

2.

Plaintiff and Defendant previously agreed to the dismissal of Defendant from this action without prejudice. On or about June 3, 2011, counsel for Plaintiffs submitted their Motion to Dismiss and Limited Judgment of Dismissal of Defendant without Prejudice to the Deschutes County Circuit Court, Case No. 11-CV-0341-AB (the “State Court Action”).

3.

Therein about that same day, defendants J.P. Morgan Chase Bank, NA and Chase Home Finance LLC (hereinafter collectively “Chase”) removed the State Court Action to this Court. Thereafter on June 6, 2011, the Honorable Wells B. Ashby signed the Limited Judgment of Dismissal without Prejudice as to Defendant Northwest Trustee Services, Inc., on June 6, 2011 (“Judgment of Dismissal”). The Judgment of Dismissal was entered into the state court’s register on June 14, 2011. On that same day the Notice of Removal was docketed.

4.

Plaintiffs and Defendant hereby stipulate and agree that based upon the Stipulations contained in ¶¶ 2 and 3 above, Defendant should be dismissed from this action without prejudice and without an award of attorneys’ fees or costs against it or against the Plaintiffs.

JUDGMENT:

5.

The Court having reviewed the records, files, and the stipulations of the parties

herein, being fully advised in the premise, and finding good cause exists so that this Stipulated Judgment of Dismissal as to defendant, Northwest Trustee Services, Inc., may be entered against said Defendant, it is hereby

12.

ORDERED that Plaintiffs' claims against defendant, Northwest Trustee Services, Inc., shall be and are hereby dismissed without prejudice and without an award of attorneys' fees or costs to or against Plaintiffs or defendant, Northwest Trustee Services, Inc.

DATED this 13th day of July, 2011.


Honorable Michael R. Hogan

So Stipulated to by:

ROUTH CRABTREE OLSEN, P.C.

By /s/Teresa M Shill
Teresa M. Shill, OSB # 031680
Attorneys for defendant: Northwest Trustee
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Dated: 7/6/11

and

FRANCIS HANSEN & MARTIN LLP

By /s/ Gerald A. Martin
Gerald A. Martin, OSB # 69112
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Dated: 7/6/11